

Remarks

Claims 1-11 and 22 are pending in this application before entry of this amendment.

By way of this Amendment, claims 1, 3, 8, 9, and 10 have been amended, and claims 11 and 22 have been canceled. No new matter has been added.

Claim 10 is rejected under 35 USC 112, first paragraph, as non-enablement for solvates of formula I. Claim 10 has been amended to delete reference to solvates. Of course, the claim to the composition would encompass solvates due to the recited comprising language, though solvates are not specifically recited.

Claims 1-7 and 9-11 are rejected under 35 USC 112, first paragraph, as non-enabled for various combination of substituents X, Y, and Z. In order to advance prosecution, claims 1, 3, and 9 have been amended to recite substituents X, Y, and Z as those that the Office has indicated as enabled. Applicants assert that one of skill in the art, given the disclosure of the application, would be able to synthesize compounds having substituent Y as at least hydrogen, halogen, alkoxy, thioalkyl, alkyl, and nitro in equivalent manner as those corresponding compounds having substituent Z, therefore the recitations of Y and Z are selected from the narrowed (by amendment) list of possible endgroups. Similarly, Applicants assert that one of skill in the art, given the disclosure of the application, would be able to synthesize compounds having the recited Y and Z groups when substituent X is either oxygen or sulfur.

Claims 11 and 22 are rejected under 35 USC 112, first and second paragraphs. Claims 11 and 22 have been canceled.

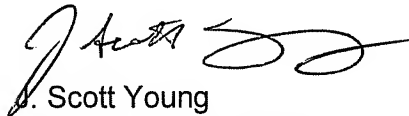
Claim 8 has been objected to, but indicated as allowable if written in independent format. Claim 8 has been amended to place the claim in independent format.

Conclusion

The present Amendment is filed within the shortened two month period from the date of the action. Furthermore, Applicants assert that the instant Amendment places the application in a condition for allowance, or in the alternative, that its entry is appropriate as the instant amendments place the application in a better condition for appeal, as permitted by 37 CFR 1.116.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge any fees or credit any overpayment, particularly including any fees required under 37 CFR Sect 1.16 or 1.17, and any necessary extension of time fees, to deposit Account No. 07-1392. The Examiner is invited to contact the undersigned at (919) 483-8160, to discuss this case, if desired.

Respectfully submitted,



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